

**PATENT APPLICATION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450
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on March 14, 2005.

Jeffrey D. Myers, Reg. No. 35,964

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/870,201
Applicant : Charles Young
Filed : May 29, 2001
Title : AUDIENCE ATTENTION AND RESPONSE EVALUATION

TC/A.U. : 2671
Examiner : SCOTT A. WALLACE
Confirm. No. : 7863
Docket No. : 30454-1001

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION OF CHARLES YOUNG UNDER 37 C.F.R. § 1.132

Sir:

CHARLES YOUNG declares as follows:

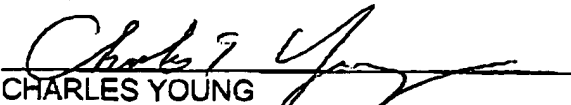
1. I am the inventor of the subject matter of the above-identified patent application.
2. I conceived and invented the inventive subject matter disclosed but not claimed in U.S. Patent No. 6,322,368 to Young et al. and cited by the Examiner in rejecting the above-identified patent application under 35 U.S.C. 102(e) as being anticipated by Young et al., which rejection stated that Young et al. discloses an automated method of collecting audience recognition information concerning a video presentation, the method comprising the steps of:

PATENT Ser. No. 09/553,787

displaying an entire video presentation to a plurality of subjects; subsequently inquiring of each of the subjects by computer whether each of a plurality of still images obtained from the video presentation are recognized by each of the subjects, the inquiring step taking place after the displaying step; and for each of the still images, tabulating a percentage of the subjects reporting recognition by remembrance of the still image in the inquiring step, and further stating that Young et al. discloses wherein the displaying and inquiring apparatus comprise a computer local to each subject.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date: March 11, 2005


CHARLES YOUNG